

ESTTA Tracking number: **ESTTA712879**

Filing date: **12/07/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222157
Party	Plaintiff Vamix, naamloze vennootschap
Correspondence Address	MARTIN W SCHIFFMILLER KIRSCHSTEIN ISRAEL SCHIFFMILLER & PIERONI PC 425 FIFTH AVENUE, 5TH FLOOR NEW YORK, NY 10016-2223 UNITED STATES mws@kirschsteinlaw.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Martin W. Schiffmiller
Filer's e-mail	mws@kirschsteinlaw.com
Signature	/Martin W. Schiffmiller/
Date	12/07/2015
Attachments	Fourth Motion for Extension.pdf(45978 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 86-389980
filed September 9, 2014 for the mark **BAKE-UP BROWNIES**
Published in the Official Gazette of February 3, 2015

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Vamix, naamloze vennootschap, :

Opposer, :

v. : Opposition No. 91222157

Aryzta, LLC, :

Applicant. :

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MOTION ON CONSENT FOR EXTENSION OF
DISCLOSURE, DISCOVERY AND TRIAL PERIODS

Initial Disclosures are due in the above proceeding on November 8, 2015. Opposer Vamix, naamloze vennootschap requests that such date be extended for 30 days and that all subsequent dates be reset accordingly as follows:

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	01/07/2015
Expert Disclosure Due :	05/06/2016
Discovery Closes :	06/03/2016
Plaintiff's Pretrial Disclosures :	07/20/2016
Plaintiff's 30-day Trial Period Ends :	09/03/2016
Defendant's Pretrial Disclosures :	09/18/2016
Defendant's 30-day Trial Period Ends :	11/02/2016
Plaintiff's Rebuttal Disclosures :	11/17/2016
Plaintiff's 15-day Rebuttal Period Ends :	12/17/2016

The parties are currently engaged in settlement discussions regarding the subject opposition. This motion is not made for the purpose of delay.

Opposer has secured the express consent of Applicant's attorney for the extension and resetting of dates requested herein.

Respectfully submitted,

KIRSCHSTEIN, ISRAEL,
SCHIFFMILLER & PIERONI, P.C.
Attorneys for Opposer
425 Fifth Avenue, 5th Floor
New York, New York 10016-2223
(212) 697-3750

By /Martin W. Schiffmiller/
Martin W. Schiffmiller

Dated: New York, New York
December 7, 2015

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION ON CONSENT FOR EXTENSION OF DISCLOSURE, DISCOVERY AND TRIAL PERIODS was served upon Applicant's counsel by e-mail to:

Carlo F. Van den Bosch, Esq.
Sheppard Mullin Richter & Hampton LLP
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626-1993

Email: cvandenbosch@sheppardmullin.com

this 7th day of December, 2015.

/Deborah A. Egan/
Deborah A. Egan